

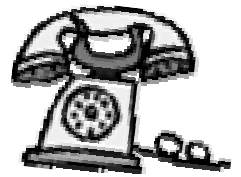
# Checking References

## Frequently Asked Questions



- **Why should I spend my time checking job references?** Because the best predictor of success on the job is past performance.
- **Aren't most employers reluctant to give references?** They shouldn't be as long as they provide relevant, factual information. Giving and getting job references is a legitimate business activity in which both parties have an interest and/or liability. Even verifying the dates of employment and the job duties gives you some credible information. Asking appropriate, non-threatening questions with gentle persistence can also go far in obtaining more information. Should a previous employer fail to warn you about critical, safety-sensitive situations – that employer may have liability if you hire a person who repeats a similar activity at your business. Document that you asked questions even if the employer won't answer.
- **Some applicants just look suspicious. Is it okay to check references on just those individuals?** Be consistent and fair in the treatment of all applicants to avoid discrimination claims. If you check references on any applicants, check references on all applicants. Alternatively, you can check references only on those to whom you intend to make an offer for employment.
- **Is it okay to check references without telling an applicant?** Some applicants may not even apply if you let them know through job announcements or advertising that you will be checking references. You should get permission from applicants before contacting previous or current employers by asking for a written release on your job application.
- **Should I ask for personal references?** Asking for personal references may be suspect for discrimination as applicants often list religious contacts. Besides, savvy applicants only list personal references who will give positive responses, and personal references will probably not have relevant job performance information.
- **When other employers call me for references, I'm not sure with whom I'm talking or what to say.** Good point! You can ask the person calling what the questions will be and tell the person you will pull the personnel file and call back. This gives you time to prepare responses and allows you to verify who is calling through a call-back procedure.
- **Which questions should I answer?** Answer only those questions that are objective and relevant. You have no obligation to answer improper questions. Don't volunteer information. Ask why the person needs certain information if you don't know. Answer questions evenly and unemotionally. Ask for more specifics if you don't understand a question.

## TIPS ON CHECKING REFERENCES



- Prepare reference questions ahead of time so you can consistently ask the same questions about all applicants.
- Suggest that the person gather information and call you back if he/she seems unprepared.
- Record the name and position of the person giving references as well as the company name.
- Take extensive notes. Use their words – not your words.
- Use tact and persistence but don't force the issue.
- Document all questions asked for self protection – even if you get no response.
- Ask factual and objective questions – not opinion.

**Employment History:** Positions held, dates of employment, promotions, job duties, performance, attendance records, and termination or separation reasons.

**Performance:** Avoid subjective appraisal information – base on written evaluations. How well did the employee perform? Overall, was performance satisfactory? Unsatisfactory? May I have a copy of the employee's most recent evaluation? Does your file show your company's overall evaluation of the employee?

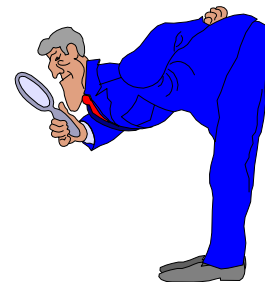
**Conduct:** May I see a copy of the employee's attendance records? (Don't ask how often employee was sick.) Does your file show any documented disciplinary problems? Follow up and probe any responses – What was the nature of the problem? What was the resolution? Was it corrected?

**Termination or separation:** Why did the employee leave? Is the employee eligible for rehire (more objective than "would you rehire?")? If not, why not? Does the file show the reason why the employee is not eligible? Is there a termination fact sheet or an exit interview?

**Closing:** Is there anything else we should know about this applicant?

# Background Investigations

Get expert assistance and make sure these investigations are carefully planned, justified and executed. Be sure to inform applicants if you will be conducting a background investigation. Advertising background checks in your job announcement may prevent questionable applicants from even applying.



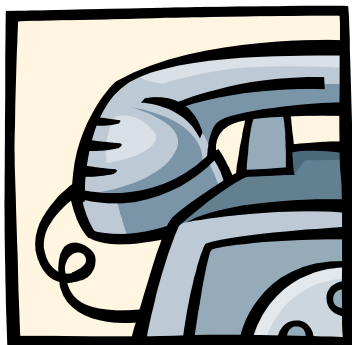
- If someone was only arrested and not convicted, the law does not view this as adequate grounds for denying employment.
- Even a conviction is not always grounds for denying employment. It could be challenged based on how long ago it happened, how serious the infraction was or how relevant it is to the job for which the person is applying.
- You could also be challenged if you subject only certain applicants to background checks. Make sure these investigations are carefully planned, justified and executed.
- To conduct a criminal background check you may call the Dept. of Justice, Criminal Records Division at (406)444-3625.

## Applicant Information Release

I hereby authorize any person, educational institution, or company I have listed as a reference on my employment application to disclose in good faith any information they may have regarding my qualifications and fitness for employment. I will hold (Your Business), and former employers, educational institutions, and any other persons giving references free of liability for the exchange of this information and any other reasonable and necessary information incident to the employment process.

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

## Tips On Providing References



- **H**ave a policy specifying who in your business can give references, as you may be liable for references given out by other employees.
- **A**sk the person calling what the questions will be, and tell the person you will pull the personnel file and call back. This allows time to prepare how you will answer questions and also gives you an opportunity to verify who the caller is through a call-back procedure.
- **C**ommunicate facts (supported by documentation), not opinions. You can cite specific examples that are documented. Avoid subjective and broad statements.
- **B**e concerned with what happened while the person was employed by you – not what the person did before you hired or after they left.
- **B**e sure you have the facts – not suspicions – before giving out negative or sensitive information.
- **G**ive information in good faith – true (factual, objective) and without malice. Maintain records in personnel files documenting who contacted you, what questions were asked and how you answered them.